

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	Group Art Unit: 2776
	)	
Y. Yamagishi, et al.	)	Confirmation No.: 6349
	)	
Application No. 09/605,733	)	
	)	
Filed: June 28, 2000	)	Examiner: Khanh B. Pham
	)	
For: TRANSMITTING APPARATUS, TRANSMITTING	)	
METHOD, RECEIVING METHOD, TRANSMITTING	)	
AND RECEIVING SYSTEM, AND TRANSMITTING AND	)	
RECEIVING METHOD	)	

Mail Stop Patent Ext  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR RECONSIDERATION**  
**OF THE PATENT TERM ADJUSTMENT**  
**UNDER 37 C.F.R. § 1.705(d)**

Dear Sir:

A Notice of Allowance for the above identified application was mailed on June 29, 2007, with a published term adjustment under 35 U.S.C. § 154(b) of 0 days. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested.

**REMARKS**

Reconsideration of the patent term adjustment under 35 U.S.C. § 154(b) is requested. A Notice of Allowance with a term adjustment of 0 days was mailed on June 29, 2007, and a copy of the Notification is included herewith as Exhibit A. Correction of the patent term adjustment to add 1667 days to the patent term as shown below is respectfully requested.

The patent term adjustment for U.S. Application No.: 09/605,733 is calculated as shown below. Dates are specified based on the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History, attached as Exhibit B. Please, note that the corresponding to be issued U.S. Patent is not subject to a terminal disclaimer.

In the present application, a Revocation and Power of Attorney appointing the attorneys of Sonnenschein Nath & Rosenthal, LLP, and including a change of correspondence address, was received by the Office on September 27, 2001 but was not entered. A copy of the Revocation is enclosed herewith as Exhibit C. A Non-Final Office Action Response, mailed by the Office on November 12, 2003, was addressed to a Limbach & Limbach, LLP, having an address at 2001 Ferry Building, San Francisco, Ca 94111-4262. A copy of the first page of the Office Action is enclosed herewith as Exhibit D. The U.S. Patent Office acknowledged in a Decision on Petition mailed on April 27, 2006, that the non-entry of the change of correspondence address resulted in the Non-final Office Action being sent to an incorrect address. A copy of the Decision on Petition is enclosed, as exhibit E. Subsequently, the Office issued a Notice to Rescind Abandonment on May 18, 2006, and a Notice of Restarted Response Period on May 22, 2006. See corresponding entries in Transaction History enclosed herewith as Exhibit F. Applicants submitted a Response after Non-Final Action on August 22, 2006.

Thus, during the period between the November 10, 2003 mailing date of the incorrectly addressed Non-Final Office Action and the August 22, 2006 mailing date of Applicants' Non-Final Action Response, Applicants did not fail to engage in reasonable efforts to conclude processing or examination of the '733 application. As such, Applicants respectfully request that the entry, in Exhibit B, of 962 days as delay days incurred by Applicants be cancelled.

Period of adjustment under 37 C.F.R. § 1.703(a)

The period of adjustment under 37 C.F.R. § 1.703(a) is the number of days in the period beginning on the day ("the 14 month date") after that date that is fourteen months after the date on which the application was filed under 35 U.S.C. § 111(a) and ending on the date of mailing or either an action under 35 U.S.C. § 132 or a notice of allowance under 35 U.S.C. § 151, whichever comes first.

The present application was filed on June 28, 2000. The 14 month date specified in 37 C.F.R. § 1.703(a) is August 28, 2001. The first PTO action was a non-final Office Action mailed October 3, 2003. The difference between the 14 month date and the date of mailing of the requirement for restriction is 766 days.

Reduction in period of adjustment under 37 C.F.R. § 1.704(a)-(e)

With respect to the grounds for adjustment set forth in 37 C.F.R. § 1.704(a)-(e), an applicant is deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods or time in excess of three months that are taken to reply to any notice or action by the Office. Any such three month period is measured from the date the notice or action was mailed to the applicant. The period of adjustment set forth in 37 C.F.R. § 1.703 shall be reduced by the number of days beginning on the day ("the 3 month date") after the date that is three months after the date of mailing of the Office communication.

In the present application, a Final Rejection was mailed on November 6, 2006. The 3 month date for this communication is February 6, 2004. A Response to the Final Rejection was received in conjunction with a Request for Continued Examination by the Office on April 10, 2007, so the reduction in period of adjustment under 37 C.F.R. § 1.704(b) is 61 days.

Total Patent Term Adjustment

For the present application, the total patent term adjustment under 37 C.F.R. § 1.703(f) is the period of adjustment under 37 C.F.R. § 1.703 reduced by the reduction under 37 C.F.R. § 1.704. The total adjustment is thus:


$$766 \text{ days} + 962 - 61 \text{ days} = \underline{1667 \text{ days}}.$$

Accordingly, reconsideration of the patent term adjustment for U.S. Application number 09/605,733 is respectfully requested. Office personnel are invited to contact the undersigned patent agent for the Applicants via telephone if such communication would expedite this petition.

Applicants submit electronically a payment of \$200.00 to cover the petition fee under 37 C.F.R. § 1.18(e). Please charge any additional fee required or credit for any excess fee paid to Deposit Account No. 19-3140.

Respectfully submitted,

Dated: Oct. 1, 2007

By:   
Kadey Gacem  
Registration No. 52,474  
SONNENSCHN NATH & ROSENTHAL LLP  
P.O. Box 061080  
Wacker Drive Station, Sears Tower  
Chicago, Illinois 60606-1080  
(312) 876-8000

# EXHIBIT A



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

26263

7590

06/29/2007

SONNENSCHN NATH & ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, IL 60606-1080

EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 06/29/2007

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/605,733

06/28/2000

Yasuaki Yamagishi

09794353-0013

6349

TITLE OF INVENTION: APPARATUS AND METHOD FOR COMMUNICATING HIERARCHICAL STRUCTURES OF DIRECTORIES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$0	\$1400	10/01/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

**or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)**

26263 7590 06/29/2007

**SONNENSCHN NATH & ROSENTHAL LLP**  
P.O. BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, IL 60606-1080

**Note:** A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/605,733	06/28/2000	Yasuaki Yamagishi	09794353-0013	6349
------------	------------	-------------------	---------------	------

**TITLE OF INVENTION: APPARATUS AND METHOD FOR COMMUNICATING HIERARCHICAL STRUCTURES OF DIRECTORIES**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$0	\$1400	10/01/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
PHAM, KHANH B	2166	707-100000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, \_\_\_\_\_ 1
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed. \_\_\_\_\_ 2
- \_\_\_\_\_ 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY AND STATE OR COUNTRY) \_\_\_\_\_

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,733	06/28/2000	Yasuaki Yamagishi	09794353-0013	6349

26263

7590

06/29/2007

SONNENSCHN NATH & ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, IL 60606-1080

EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 06/29/2007

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.



# EXHIBIT B

09/605,733	APPARATUS AND METHOD FOR COMMUNICATING HIERARCHICAL STRUCTURES OF DIRECTORIES	09-30-2007::16:08:38
<b>Patent Term Adjustments</b>		
Patent Term Adjustment (PTA) for Application Number: 09/605,733		
Filing or 371(c) Date:	06-28-2000	USPTO Delay (PTO) Delay (days): 766
Issue Date of Patent:	-	Three Years: -
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days): 1023
Post-Issue Petitions (days):	+0	Total PTA (days): 0
USPTO Adjustment(days):	+0	Explanation Of Calculations
<b>Patent Term Adjustment History</b>		
Date	Contents Description	PTO(Days) APPL(Days)
06-29-2007	Mail Notice of Allowance	
06-26-2007	Document Verification	
06-26-2007	Notice of Allowance Data Verification Completed	
04-10-2007	Date Forwarded to Examiner	
04-10-2007	Date Forwarded to Examiner	
04-09-2007	Request for Continued Examination (RCE)	61
04-10-2007	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	⬆
04-09-2007	Request for Extension of Time - Granted	⬆
04-09-2007	Workflow - Request for RCE - Begin	⬆
03-21-2007	Mail Examiner Interview Summary (PTOL - 413)	⬆
03-14-2007	Examiner Interview Summary Record (PTOL - 413)	⬆
02-13-2007	Mail Advisory Action (PTOL - 303)	⬆
02-12-2007	Advisory Action (PTOL-303)	⬆
02-07-2007	Date Forwarded to Examiner	⬆
02-02-2007	Amendment after Final Rejection	⬆
11-07-2006	Mail Final Rejection (PTOL - 326)	⬆
11-06-2006	Final Rejection	
08-22-2006	New or Additional Drawing Filed	
08-29-2006	Date Forwarded to Examiner	
08-22-2006	Response after Non-Final Action	962
07-08-2006	IFW TSS Processing by Tech Center Complete	⬆
05-22-2006	Mail Notice of Restarted Response Period	⬆
05-19-2006	Letter Restarting Period for Response (i.e. Letter re: References)	⬆
05-18-2006	Mail Notice of Rescinded Abandonment	⬆
05-18-2006	Notice of Rescinded Abandonment in TCs	⬆
05-18-2006	Case Docketed to Examiner in GAU	⬆
05-16-2006	Correspondence Address Change	⬆
04-27-2006	Petition to Revive Application - Granted	⬆
04-26-2006	Correspondence Address Change	⬆
04-26-2006	Change in Power of Attorney (May Include Associate POA)	⬆

12-20-2005	Petition Entered		⬆
06-10-2004	Mail Abandonment for Failure to Respond to Office Action		⬆
06-10-2004	Abandonment for Failure to Respond to Office Action		⬆
11-12-2003	Mail Notice of Restarted Response Period		⬆
11-10-2003	Letter Restarting Period for Response (i.e. Letter re: References)		⬆
10-03-2003	Mail Non-Final Rejection	766	
09-29-2003	Non-Final Rejection		⬆
09-04-2003	Case Docketed to Examiner in GAU		⬆
07-15-2003	Case Docketed to Examiner in GAU		⬆
01-21-2003	Case Docketed to Examiner in GAU		⬆
05-24-2002	Case Docketed to Examiner in GAU		⬆
06-28-2000	Request for Foreign Priority (Priority Papers May Be Included)		⬆
01-09-2001	Application Dispatched from OIPE		⬆
12-18-2000	Application Is Now Complete		⬆
12-15-2000	Correspondence Address Change		⬆
09-27-2000	Notice Mailed--Application Incomplete--Filing Date Assigned		⬆
08-16-2000	Correspondence Address Change		⬆
07-19-2000	IFW Scan & PACR Auto Security Review		⬆
06-28-2000	Initial Exam Team nn		⬆

---

**Close Window**

# EXHIBIT C



Our Docket No: 09794353-0013  
Sony Docket No: S00P0732US00J

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Y. Yamagishi, et al.  
SERIAL NO: 09/605,733  
FILED: June 28, 2000  
TITLE TRANSMITTING APPARATUS, TRANSMITTING METHOD,  
RECEIVING APPARATUS, RECEIVING METHOD, TRANSMITTING  
AND RECEIVING SYSTEM, AND TRANSMITTING AND  
RECEIVING METHOD  
AU: 2776

Assist. Commissioner of Patents  
Washington, D.C. 20231

RECEIVED  
SEP 27 2001  
Technology Center 2100

**REVOCATION AND POWER OF ATTORNEY**

Dear Sir:

SONY CORPORATION, a Japanese Corporation, having a place of business at 7-35,  
Kitashinagawa 6-chome, Shinagawa-ku, Tokyo 141, Japan and INFORMATION  
BROADCASTING LABORATORIES, INC., having a place of business at 1-1, Nishi-  
Asakusa, 2-chome, Taito-ku, Tokyo, Japan, owners of the above-referenced patent  
application, hereby revoke all former appointments of powers of attorney and hereby appoints  
the following attorneys to transact all business in the United States Patent and Trademark  
Office connected herewith:

Terrence M. Brennan, Reg. No. 42,360  
Thomas J. Burton, Reg. No. 47,464  
Matthew M. Catlett, Reg. No. 44,067  
Jeffrey F. Craft, Reg. No. 30,044  
D. Andrew Floam, Reg. No. 34,597  
Brian J. Gill, Reg. No. 46,727  
Gregory Gulliver, Reg. No. 44,138  
John F. Griffith, Reg. No. 44,137  
Kevin W. Guynn, Reg. No. 29,927  
Jennifer Hammond, Reg. No. 41,814  
Marc E. Hankin, Reg. No. 38,908  
Lana Knedlik, Reg. No. 42,748  
Michael L. Kiklis, Reg. No. 38,939  
Eric N. Kohli, Reg. No. 43,726

Mark H. Krietzman, Reg. No. 41,128  
Brian R. McGinley, Reg. No. 47,782  
David R. Metzger, Reg. No. 32,919  
Michael A. Molano, Reg. No. 39,777  
John F. Nethery, Reg. No. 42,928  
Christopher P. Raush, Reg. No. 45,034  
Francisco Rubio-Campos, Reg. No. 45,358  
Marina N. Saito, Reg. No. 42,121  
Alison P. Schwartz, Reg. No. 43,863  
Jordan A. Sigale, Reg. No. 39,028  
Janelle D. Strobe, Reg. No. 34,738  
Vincent Tassinari, Reg. No. 42,179  
Shashank S. Upadhye, Reg. No. P48,209

of the firm:



GAU-2776  
2176  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Y. Yamagishi, et al.

Serial No.: 09/605,733

Filed: June 28, 2000

For: TRANSMITTING APPARATUS,  
TRANSMITTING METHOD, RECEIVING  
METHOD, TRANSMITTING AND  
RECEIVING SYSTEM, AND  
TRANSMITTING AND RECEIVING  
METHOD

Case No.: 9794353-0013

Group Art Unit: 2776

**Certificate of Mailing (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Assistant Commissioner for Patents  
Washington, D.C. 20231, on:

Date of Deposit: September 21, 2001

*Jo Ellen Hogan*  
Jo Ellen Hogan

*9/21/01*  
Date

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed herewith is a Revocation and Power of Attorney in the above-identified patent application.

Also enclosed are: Copy of Recorded Assignment  
Return Receipt Postcard

Applicant's former counsel, Limbach & Limbach, has gone out of business, and forwarding of mail has been sporadic, at best. If any correspondence has been issued since January 1, 2001, please forward a copy to us as we cannot guarantee that it has been received by applicant, or applicant's current or former counsel.

The Commissioner is hereby authorized to charge any additional fees required, as well as any patent application processing fees associated with this communication for which full payment has not been tendered, to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL

SONNENSCHN NATH & ROSENTHAL  
P.O. Box 061080  
Wacker Drive Station  
Sears Tower  
Chicago, Illinois 60606-1080  
Telephone: (312) 876-8000

By:

*David R. Metzger*  
David R. Metzger  
Registration No. 32,919

# EXHIBIT D



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,733	06/28/2000	Yasuaki Yamagishi	SUGI-T0732	6349

7590 11/12/2003

Charles P. Sammut, Esq.  
Limbach & Limbach L.L.P.  
2001 Ferry Building  
San Francisco, CA 94111-4262

EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



# EXHIBIT E



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Sonnenschein Nath & Rosenthal  
P.O. Box 061080  
Wacker Drive Station - Sears Tower  
Chicago IL 60606-1080

**COPY MAILED**

**APR 27 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Yamagishi et al. :  
Application No. 09/605,733 :  
Filed: June 28, 2000 :  
Attorney Docket No. 09794353-0013 :

**DECISION ON PETITION**

This is a decision on the "Petition to Rescind Holding of Abandonment Pursuant to 37 CFR 1.181," filed December 20, 2005, and supplemented on March 2, 2006.

This application was held abandoned for failure to respond timely to the nonfinal Office action, mailed on November 12, 2003, which set a three-month shortened statutory period for reply. In the apparent absence of a timely filed response, the application was held abandoned on February 13, 2004. A Notice of Abandonment was mailed on June 10, 2004.

In the petition, petitioner asserted that the practitioner did not receive the nonfinal Office action because the USPTO did not enter the revocation and appointment of power of attorney and the change of correspondence address submitted on September 24, 2001. As a result of this error, the Office erroneously mailed the nonfinal Office action to an incorrect correspondence address.<sup>1</sup> Accordingly, petitioner requested that the Office withdraw the holding of abandonment, remail the nonfinal Office action, and restart the period for reply.

A review of the record indicates that petitioner filed an "Revocation and Power of Attorney," on September 24, 2001, which was signed by authorized persons to act on behalf of the assignee, and contained a revocation and appointment of power of attorney and a change of correspondence address. Unfortunately, the Office did not enter the "Revocation and Power of Attorney" of September 24,

<sup>1</sup> The record reveals that the nonfinal Office Action and the Notice of Abandonment were returned to the USPTO as undeliverable.

2001.<sup>2</sup> For this reason, the USPTO mailed the nonfinal Office action to an incorrect correspondence address.

In view of the above, the petition to withdraw the holding of abandonment is **granted**. The Notice of Abandonment was mailed in error and is hereby withdrawn. The application is restored to pending status. As the practitioner did not receive the original nonfinal Office Action of November 12, 2003, **Technology Center Art Unit 2177 shall re-mail the nonfinal Office Action and restart the period for response.**

This matter is being referred to Technology Center Art Unit 2177 for further action consistent with this decision.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211.

*Christina Tartera Donnell*

Christina Tartera Donnell  
Senior Petitions Attorney  
Office of Petitions

Enclosures: Notice of Acceptance of Power of Attorney and a Notice Regarding Change of Power of Attorney

---

<sup>2</sup> The Office has entered the Revocation and Power of Attorney and changed the correspondence address of record. A Notice of Acceptance of Power of Attorney and a Notice Regarding Change of Power of Attorney are enclosed with this decision.

# EXHIBIT F

09/605,733	APPARATUS AND METHOD FOR COMMUNICATING HIERARCHICAL STRUCTURES OF DIRECTORIES	10-01-2007::15:28:59
<b>Transaction History</b>		
Date	Transaction Description	
06-29-2007	Mail Notice of Allowance	
06-26-2007	Document Verification	
06-26-2007	Notice of Allowance Data Verification Completed	
04-10-2007	Date Forwarded to Examiner	
04-10-2007	Date Forwarded to Examiner	
04-09-2007	Request for Continued Examination (RCE)	
04-10-2007	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	
04-09-2007	Request for Extension of Time - Granted	
04-09-2007	Workflow - Request for RCE - Begin	
03-21-2007	Mail Examiner Interview Summary (PTOL - 413)	
04-14-2007	Examiner Interview Summary Record (PTOL - 413)	
02-13-2007	Mail Advisory Action (PTOL - 303)	
02-12-2007	Advisory Action (PTOL-303)	
02-07-2007	Date Forwarded to Examiner	
02-02-2007	Amendment after Final Rejection	
11-07-2006	Mail Final Rejection (PTOL - 326)	
11-06-2006	Final Rejection	
08-22-2006	New or Additional Drawing Filed	
08-29-2006	Date Forwarded to Examiner	
08-22-2006	Response after Non-Final Action	
07-08-2006	IFW TSS Processing by Tech Center Complete	
05-22-2006	Mail Notice of Restarted Response Period	
05-19-2006	Letter Restarting Period for Response (i.e. Letter re: References)	
05-18-2006	Mail Notice of Rescinded Abandonment	
05-18-2006	Notice of Rescinded Abandonment in TCs	
05-18-2006	Case Docketed to Examiner in GAU	
05-16-2006	Correspondence Address Change	
04-27-2006	Petition to Revive Application - Granted	
04-26-2006	Correspondence Address Change	
04-26-2006	Change in Power of Attorney (May Include Associate POA)	
12-20-2005	Petition Entered	
06-10-2004	Mail Abandonment for Failure to Respond to Office Action	
06-10-2004	Abandonment for Failure to Respond to Office Action	
11-12-2003	Mail Notice of Restarted Response Period	
11-10-2003	Letter Restarting Period for Response (i.e. Letter re: References)	
10-03-2003	Mail Non-Final Rejection	
09-29-2003	Non-Final Rejection	
09-04-2003	Case Docketed to Examiner in GAU	
07-15-2003	Case Docketed to Examiner in GAU	
01-21-2003	Case Docketed to Examiner in GAU	
05-24-2002	Case Docketed to Examiner in GAU	
06-28-2000	Request for Foreign Priority (Priority Papers May Be Included)	

01-09-2001	Application Dispatched from OIPE
12-18-2000	Application Is Now Complete
12-15-2000	Correspondence Address Change
09-27-2000	Notice Mailed--Application Incomplete--Filing Date Assigned
08-16-2000	Correspondence Address Change
07-19-2000	IFW Scan & PACR Auto Security Review
06-28-2000	Initial Exam Team nn

---

**Close Window**